IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER

TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S. RAO

WRIT PETITION NO: 18518 OF 1998

Between:

Shazia Sultana, D/o.Ubedullha Quadri,

Minor, rep. by her mother Waheeda Begum,

W/o.Ubedullha Quadri, R/o.Plot No.3-14,

Venkateshwara Colony, Saroornagar, Hyderabad.

….. PETITIONER

AND

1. The Commissioner for Government Examinations,

Andhra Pradesh, Chapal Road, Hyderabad.

2. The Secretary, Board of Secondary Education,

Andhra Pradesh, Hyderabad.

….. RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly in the nature of Writ of Mandamus directing the respondents herein to produce original answer sheets together with additional answer sheets of Social Studies papers 1 and 2 pertaining to Hall Ticket No.0059405 of S.S.C., Public Examination conducted during March, 1998, while directing the respondents to revalue the answer sheet by giving appropriate marks and declare the correct result.

Counsel for the Petitioner: MR. ALI FAROOQ

Counsel for Respondents: GOVERNMENT PLEADER FOR SCHOOL EDUCATION

The Court made the following ORDER:

The petitioner appeared for X Class (S.S.C) examinations in March, 1998 with Hall Ticket No.0059405. She passed all subjects except Social Studies. The petitioner, therefore, applied for recounting of marks by paying necessary fees and on allegation that the answer sheets are said to be missing. The petitioner filed the present writ petition, seeking a direction to the respondents to revalue her Social Studies paper.

The learned Assistant Government Pleader for School Education, relying on parawise remarks sent by the first respondent, submits that as per the scheme of Secondary School Certificate Examination, there is no procedure for revaluation and that as requested by the petitioner, recounting of marks in Social Studies was undertaken and it was found that there was no change in the marks.

It is well settled that unless and until the relevant rules permit the revaluation of answer scripts, no authority can undertake such exercise nor this Court can issue a direction, which would be contrary to the regulations. See, ***Maharashtra State Board of Secondary and Higher Secondary Education and another v. Peritosh Bhupesh Kumar Sheth, etc.,***.

The petitioner's request for recounting was already acceded to. No further relief can be granted by this Court.

The writ petition is, therefore, dismissed. No costs.

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V.V.S. RAO, J

November 10, 2004.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Commissioner for Government Examinations,

Andhra Pradesh, Chapal Road, Hyderabad.

2. The Secretary, Board of Secondary Education,

Andhra Pradesh, Hyderabad.

3. Two CCs to the Government Pleader for School Education,

High Court Buildings, Hyderabad (O.U.T).

4. Two CD copies.